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### REMARKS/ARGUMENTS

Claims 1-20 are pending in this application. The Examiner has withdrawn claims 9-12 and 19 from consideration. By this Amendment, Applicant AMENDS claims 1, 6, 11, and 17.

Applicant affirms election of Species I. Further, Applicant reserves the right to file a Divisional Application to pursue Species II-IV. Applicant respectfully requests that the Examiner consider and allow claims 9-12 and 19 upon allowing generic claim 1.

The Examiner objected to claim 17 for allegedly containing a minor informality. Applicant has amended claim 17 to correct the minor informality noted by the Examiner. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the objection to claim 17.

Claims 1-8, 17-18, and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tokudera et al. (U.S. 6,060,958) in view of Nakata et al. (U.S. 6,278,666). Claim 13 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Tokudera et al. and Nakata et al., and further in view of Prevot et al. (U.S. 4,749,965). Claims 14 and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tokudera et al. and Nakata et al., and further in view of Yamamoto et al. (U.S. 5,900,789). Claim 16 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Tokudera et al. and Nakata et al., and further in view of Matsch (Electromagnetic and Electromechanical Machines). Applicant respectfully traverses the rejections of claims 1-8, 13-17, and 20.

Claim 1 has been amended to recite:

"A nonreciprocal circuit device comprising:  
a permanent magnet;  
a ferrite element to which a DC magnetic flux is applied by said permanent magnet;  
a plurality of center electrodes provided on said ferrite element; and  
a metal casing which is made of an iron-based metal and which accommodates said permanent magnet, said ferrite element, and said center electrodes,

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**wherein said metal casing comprises a first casing member and a second casing member, the first casing member and said permanent magnet are in magnetic contact with each other, and the second casing member has a thickness greater than 50% and substantially less than 100% of a thickness of the first casing member." (emphasis added)**

Applicant's claim 1 recites the feature of "said metal casing comprises a first casing member and a second casing member, the first casing member and said permanent magnet are in magnetic contact with each other, and the second casing member has a thickness greater than 50% and substantially less than 100% of a thickness of the first casing member." Applicant's claim 6 recites features which are similar to features recited in Applicant's claim 1, including the above emphasized features. With the improved features of claims 1 and 6, Applicant has been able to provide a nonreciprocal circuit device that is reduced in size and particularly in height (see, for example, the second full paragraph on page 2 of the originally filed Specification).

Applicant has amended claim 1 to recite the feature of "said metal casing comprises a first casing member and a second casing member, the first casing member and said permanent magnet are in magnetic contact with each other, and the second casing member has a thickness greater than 50% and substantially less than 100% of a thickness of the first casing member." Applicant has amended claim 6 in a similar manner.

As the Examiner admits in paragraph no. 5 on page 3 of the outstanding Office Action, Tokudera et al. teaches that the second casing member has a thickness of "just under 100%" of the thickness of the first casing member, **NOT** substantially less than 100% of the thickness of the first casing member as recited in Applicant's claims 1 and 6. Thus, Tokudera et al. clearly fails to teach or suggest the feature of "said metal casing comprises a first casing member and a second casing member, the first casing member and said permanent magnet are in magnetic contact with each other, and the

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second casing member has a thickness greater than 50% and substantially less than 100% of a thickness of the first casing member" as recited in Applicant's claim 1 and similarly in Applicant's claim 6.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 1 and 6 under 35 U.S.C. § 103(a) as being unpatentable over Tokudera et al. in view of Nakata et al.

In anticipation of the Examiner alleging that it would have been obvious to optimize the relationship between the thicknesses of the first and second casing members of Tokudera et al., the Examiner is reminded that "[a] particular parameter must first be recognized as a result-effective variable, i.e., a variable which achieves a recognized result, before the determination of the optimum or workable ranges of said variable might be characterized as routine experimentation." In re Antonie, 195 USPQ 6 (CCPA 1977) and MPEP §2144.05(II)(B).

The Examiner has relied upon Prevot et al., Yamamoto et al., and Matsch to allegedly cure various deficiencies in the combination of Tokudera et al. and Nakata et al. However, none of Prevot et al., Yamamoto et al., and Matsch teach or suggest the feature of "said metal casing comprises a first casing member and a second casing member, the first casing member and said permanent magnet are in magnetic contact with each other, and the second casing member has a thickness greater than 50% and substantially less than 100% of a thickness of the first casing member" as recited in Applicant's claim 1 and similarly in Applicant's claim 6.

Accordingly, Applicant respectfully submits that none of the prior art of record, applied alone or in combination, teaches or suggests the unique combination and arrangement of elements recited in claims 1 and 6 of the present application. Claims 2-5, 7, 8, 13-18, and 20 depend upon claims 1 and 6, and are therefore allowable for at least the reasons that claims 1 and 6 are allowable. As noted above, Applicant respectfully requests that the Examiner consider and allow claims 9-12 and 19 upon allowing generic claim 1.

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In view of the foregoing amendments and remarks, Applicant respectfully submits that this application is in condition for allowance. Favorable consideration and prompt allowance are solicited.

The Commissioner is authorized to charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1353.

Respectfully submitted,

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